## Monday, January 4, 2021

The Cass County Board of Supervisors met at 9:00 a.m. with all members present: Steve Baier, 2020 chair; Stephen Green, John Hartkopf, Mark O'Brien and Bernard Pettinger. Agenda upon motion by Green, 2nd by O'Brien was approved. Minutes of December 31, 2020 upon motion by Hartkopf, 2nd by Green were approved as read.

The Board determined that old business was completed.

The 2020 chair called for a vote to elect a permanent chair for 2021. Roll call vote: Baier- O'Brien; Green-Baier; Hartkopf-Baier; Pettinger-Baier; and O'Brien-Baier. Auditor declared that Steve Baier had been elected Chair for 2021.

2021 Chair Baier called for vote to elect a vice-chair.

Roll call vote: Pettinger- O'Brien; Green- O'Brien; Hartkopf- O'Brien; Baier- O'Brien; and O'Brien- Green. Auditor declared that Mark O'Brien had been elected Vice-chair for 2021.

Oaths of office of Dale Sunderman, Auditor; Darby McLaren, Sheriff; and Stephen Green, Steve Baier, and Bernard Pettinger, Supervisors, all elected in the 2020 General Election, were reported to be on file in the Auditor's office.

Motion by Green, 2nd by O'Brien: to adopt RESOLUTION 2021-001. Carried unanimously RESOLUTION NO. 2021-001 APPOINTMENT OF DEPUTIES and ASSISTANTS BY ELECTED COUNTY OFFICERS

WHEREAS, the Cass County Auditor and Sheriff were duly elected on November 3, 2020; and

WHEREAS, per §331.903(1) of the Code of Iowa, each officer may appoint, with approval of the board, one or more deputies, assistants, or clerks for whose acts the principal officer is responsible. . . . and the approval of each appointment shall be adopted by a resolution recorded in the minutes of the board;

**NOW, THEREFORE, BE IT RESOLVED** by the Cass County Board of Supervisors that the following appointments are approved:

Mary Anstey Deputy Auditor Sheri Karns Deputy Auditor Benjamin Bartholomew Deputy Sheriff Corey Larsen Deputy Sheriff Deputy Sheriff Joshua McLaren Timothy Olsen Deputy Sheriff Kyle Quist Deputy Sheriff Tyler Shiels Deputy Sheriff

John Westering Chief Deputy Sheriff Joni Knudsen Sheriff's Assistant Billie Taylor-McLaren Sheriff's Assistant

Stephanie Witzman Civil Process Server **PASSED AND ADOPTED** this 4th day of January, 2021.

A new (non-union) classification of sergeant has been established in the sheriff's department effective 01/01/2021.

In accordance with Iowa Code section 331.904(2)(c) "The sheriff shall set the annual base salary of each deputy sheriff who is classified as exempt under the federal Fair Labor Standards Act of 1938". The salary submitted by the sheriff was determined to be less than or equal to the maximum limitation.

Motion by O'Brien, 2nd by Green: to approve a promotion to sergeant and certify the following annual base salaries for FY2021 to the auditor:

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Sheriff's Sergeant: Kyle Quist (78% of sheriff) $63,726.00/year. Sheriff's Sergeant: Tyler Shiels (78% of sheriff) $63,726.00/year. Carried unanimously.
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Deputy Shiels is also a 'dog handler'. The county sheriff has requested that additional supplement pay be paid for such duty.

Motion by Green, 2nd by Pettinger: For fiscal year 2021 to authorize supplement pay [IOWA CODE 331.904(2)(e)] to Sheriff's Sergeant Tyler Shiels at the rate of \$1,775/year for the additional dog handling duties. Carried unanimously.

Auditor reported that a township clerk and a township trustee in each of 14 townships were to be appointed. In addition, a trustee from Bear Grove Township and a trustee from Lincoln Township have moved to a differenct township. [Clerks and trustees filing requests to not be re-appointed were Lincoln clerk (will continue until new clerk is available) and Brighton, Lincoln and Noble trustees. Vacancies: Randy Euken moved out of Bear Grove and Frank Kopp moved out of Lincoln.]

Motion by O'Brien, second by Green to make the following appointments:

<u>Township Name</u> <u>Township Trustee</u> <u>4 yr term ends</u> <u>Township Clerk</u> <u>4 yr term ends</u>			
Bear Grove	Joe Herbert	(12/31/2024) Jeff Schuler	(12/31/2024)
Vacancy	Steve Myers	(12/31/2022)	
Benton	Vicki Sanny	(12/31/2024) Linda L. Olsen	(12/31/2024)
Brighton	vacant	(12/31/2024) Tonia Larsen	(12/31/2024)
Cass	Duane Weirich	(12/31/2024) Max R. Potter	(12/31/2024)
Franklin	Chris Heuton	(12/31/2024) Virginia Eilts	(12/31/2024)
Grant	Clifford Merk	(12/31/2024) Tom Schultes	(12/31/2024)
Grove	Robert Vernon	(12/31/2024) Michael McDermott	(12/31/2024)
Lincoln	Eric Euken	(12/31/2024) Linda Harms	(12/31/2024)
Vacancy	Justin Miller	(12/31/2022)	
Massena	Joy Scanlan	(12/31/2024) Joyce Bower	(12/31/2024)
Noble	Denny Reynolds	(12/31/2024) Greg Meyer	(12/31/2024)
Pleasant	Kenneth Cousins	(12/31/2024) Luanne Steffens	(12/31/2024)
Pymosa	Peter Smith	(12/31/2024) Kristy Pellett	(12/31/2024)
Victoria	Carole McMullen	(12/31/2024) Linda Edwards	(12/31/2024)
Washington	Alan Zellmer	(12/31/2024) Duane Winston	(12/31/2024)
Carried unanimously.			
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Motion by Pettinger, 2nd by O'Brien: to set the following schedule for sessions of the Board during the year 2021: Every Tuesday (unless otherwise noted) and the last working day of each month. Sessions will begin at 9:00 a.m. unless otherwise noted in the agenda. Carried unanimously.

Motion by Hartkopf, 2nd by Green: to issue general checks twice monthly on the working day closest to the 15th and the last working day of month, unless otherwise authorized, and to hold over claims for payment to the next period if filed with the County Auditor less than three full working days before pay date; and to authorize the County Auditor to issue checks in accordance with section 331.506(3) Code of Iowa. Carried unanimously.

Motion by Hartkopf, 2nd by Pettinger: to set mileage rate reimbursement for use of personal vehicles for county business at fortyfive cents per mile for 2021 {70A(9)} Carried unanimously.

Motion by Green, 2nd by Hartkopf: to set 2021 per mileage fee to be charged by sheriff for civil process at the standard IRS per mile rate. Carried unanimously.

Motion by Green, 2nd by Hartkopf: to continue medical examiner's fee at \$200 per call (331.803 IA CODE). Carried unanimously.

Motion by Green, 2nd by Pettinger: to name the Atlantic News Telegraph, Anita Tribune and the Griswold American as the official newspapers for Cass County for 2021 {331.303(6) IA CODE}. Carried unanimously.

Motion by Green, 2nd by Pettinger: to authorize county officials to destroy records in their possession which have been on file for ten or more years and are not required as permanent records {331.323(2)(d) CODE OF IOWA}. Carried unanimously.

Motion by Green, 2nd by O'Brien: to appoint Steve Baier to the Fourth Judicial District Department of Correctional Services Board of Directors for 2021 (331.211 & 905.3 IA CODE). Carried unanimously.

Motion by O'Brien, 2nd by Green: to appoint John Hartkopf (and Bernard Pettinger as alternate) to the 28E Southwest Iowa Mental Health and Disability Services (MHDS) Region Board. Carried unanimously.

Motion by O'Brien, 2nd by Hartkopf: to appoint Steve Baier (and as alternate member: Stephen Green) to the 28 E BOARD (Multicounty 28E Agreement Regarding Juvenile Detention Center and Emergency Juvenile Services) for term ending 12/31/2021). Carried unanimously.

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Motion by O'Brien, 2nd by Green: to make the following committee assignments for 2020: (Alt = Alternate)
Cass County Board of Health
                                                                        Mark O'Brien (Alt: John Hartkopf)
Cass County Board of Health Mark O'Brien (Alt: John Hartkopf)
Cass County Environmental Control Agency (Landfill) Mark O'Brien & Stephen Green (Alt: B. Pettinger)
Cass County Farm
                                                                       Steve Baier & Bernard Pettinger
Cass County Food Policy Council
Cass County Joint E911 Service Board (IA CODE 34A.3)
Cass County Local Emergency Management Commission (29C.9)

Mark O'Brien (Alt: Bernard Pettinger)
Mark O'Brien (Alt: Stephen Green)
Cass County Local Emergency Planning Committee (30.6, 30.10) Stephen Green (Alt: Mark O'Brien)
Cass County Public Safety Communications Commission
                                                                        Stephen Green & Mark O'Brien
Cass County Resource Enhancement Committee (<u>IA CODE</u> 455A.20) Bernard Pettinger
Courthouse Committee
                                                                        John Hartkopf and Mark O'Brien
Healthy Cass County
                                                                        Mark O'Brien & Steve Baier
Nishna Valley Trails
                                                                        Stephen Green
                                                                     Bernard Pettinger
Regional Planning Affiliate 13 (transportation funds)
Resource Enhancement and Protection Board (REAP)

Loess Hills Development and Conservation Authority

Rural Conservation and Development (Hungry Canyons Alliance)

Steve Baier (Alt: John Hartkopf)
East Nishnabotna Watershed Management Coalition
                                                                       Steve Baier (Alt: Stephen Green)
                                                                        Mark O'Brien (Alt: Stephen Green)
Southlawn Memory Gardens Cemetery Committee
Southwest Iowa Coalition
                                                                        Steve Baier (Alt: Stephen Green)
West Central Community Action. Board of Directors
                                                                       Stephen Green
Workforce Investment Act/Chief Elected Officials
                                                                      Bernard Pettinger (Alt: Steve Baier)
Zion Integrated Behavioral Health Services
                                                                        John Hartkopf (Alt: Stephen Green)
      Carried unanimously.
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# CABEDA BOARD MEMBERS (CABEDA-Cass-Audubon Border Economic Development Agreement Board) VALLEY BUSINESS PARK CORPORATION MEMBERS (2yr term ending 01/15/2023)

CADCO member Keith Harlan

#### CASS ATLANTIC DEVELOPMENT CORPORATION-CADCO

John Hartkopf and Stephen Green, 1 yr term ending 12/31/2021

## CASS COUNTY FOOD POLICY COUNCIL (4 yr term ending 12/31/2024)

James Hickman, Atlantic; Dale Raasch, Bridgewater; Sue Riggs, Lewis; Jake Theis, Atlantic

#### CASS COUNTY WEED COMMISSIONER (IA CODE 317.3)

Dennis Vogl (1 yr term beginning 03/01/2021)

## **COUNTY CONSERVATION BOARD** (5 yr term 350.2)

Rich Govig, Atlantic (ending 12/31/2025)

## CASS COUNTY BOARD OF HEALTH (IA CODE 137.4) (3 yr term ending 12/31/2023)

Dr. Todd Bean, Atlantic and Gary Dinkla, Massena

## JUDICIAL MAGISTRATE APPOINTING COMMISSION (6 yr term ending 12/31/2026)

Charles Miller, Griswold

Mary Strong, Atlantic

Randy McCunn, Massena

## CASS COUNTY HOUSING COMMISSION (1 yr term ending 12/31/2021)

Pat McCurdy, Atlantic; Phyllis Stakey, Massena; and Steve Baier, Griswold

# CASS COUNTY MEDICAL EXAMINER (2 yr term to 12/31/2022; 331.801)

MD Elaine Berry, Atlantic; and to approve her appointment of MD Angela Weppler and DO Edna Becht as deputy examiners and to approve her appointment of Darci Young as County Medical Examiner Investigator.

## CASS COUNTY LOCAL PLANNING COMMITTEE for CASS CO. COMPREHENSIVE PLAN

Steve Baier & Stephen Green, 1 yr term ending 12/31/2021

## **SOUTHWEST IOWA PLANNING COUNCIL-B.O.S. REPRESENTATIVE** (1 yr term ending 12/31/2021)

John Hartkopf (Alternate: Stephen Green)

2nd Representative- Mayor of Atlantic (see 02/11/04 minutes)

Carried unanimously.

condemnation in eminent domain proceedings (1 year term): [CONDEMNATION IN EMINENT DOMAIN PROCEEDINGS <u>IOWA CODE</u> 6B.4]

## **OWNER-OPERATORS OF AGRICULTURAL PROPERTY**

Randy Euken, 116 Southern Hills, Atlantic IA 50022

Glen Dinkla, 64666 750th St, Massena IA 50853

Billie Wilson, 60253 Wichita Rd, Griswold IA 51535

Calvin McCurdy, 73928 770th St, Massena IA 50853

Royal Bierbaum, 68131 570th St, Griswold IA 51535

Ryan Rich, 76122 Independence Rd, Anita IA 50020

Dennis E. Schwanke, 58806 Marne Rd, Marne IA 51522

## **CITY TOWN PROPERTY OWNERS**

Deb Rosener, 2102 Redwood Dr, Atlantic IA 50022

Maynard Hansen, 111 Center St, Wiota IA 50274

Randall McCunn, 507 Clark St, Massena IA 50853

Brent Wohlenhaus, 300 Harrison, Box 10, Griswold IA 51535

Lynn Hansen, 926 Turner St, Anita IA 50020

Robert K. Jackson, 909 Ridge Rd, Box 362, Anita IA 50020

Kevin Paulsen, 54968 730th St, Anita IA 50020

## KNOWLEDGE OF PROPERTY VALUES

Beverly Schelling, 3100 Palm St, Atlantic IA 50022

Dean Eilts, 58164 710th St, Wiota IA 50274

Robert Gerlock Sr., 71293 Pella Rd, Cumberland IA 50843

Clarence Jessen, 904 Park Dr, Anita IA 50020

Clint Freund, Atlantic IA 50022

Larry Follmann, 67222 770th St, Massena IA 50853

Reatha Scheibeler, 412 W 22nd St, Atlantic IA 50022

## LICENSED REAL ESTATE PERSONS

Jane Kay, 63717 Hamburg Rd, Atlantic IA 50022

Peggy Larsen, 2823 Country Club Dr, Atlantic IA 50022 Norma Hemphill, 71031 560th St, Griswold IA 51535 Melissa Ihnen, 68495 Memphis Road, Wiota IA 50274 Charles Miller, 68343 Scott St, Griswold IA 51535 Gary D. Steffens, 70319 Memphis Rd, Wiota IA 50274 Christina Bateman, 301 W 29th St, Atlantic IA 50022 Carried unanimously.

Motion by Hartkopf, 2nd by O'Brien: to adopt the following holiday schedule for County employees not covered by bargaining agreements for the year 2021:

Memorial Day, May 31

Independence Day, July 4 (Monday, July 5)

Labor Day, Sept. 6

Veterans Day, Nov. 11

Thanksgiving Day, Nov. 25

Christmas Day, Dec. 25 (Friday, Dec. 24)

New Year's Day 2022 (Monday, Jan. 3)

2 Personal days

Aye: O'Brien, Hartkopf, Pettinger & Baier. Nay: Green. Carried.

>>>>>>>>> Motion by Hartkopf, 2nd by Green: to adopt: RESOLUTION No. 2021-002 CONSTRUCTION EVALUATION

RESOLUTION

RESOLUTION

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RESOLUTION

RESOLUTION

RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2021 and January 31, 2022 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CASS COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3). Carried unanimously. Resolution adopted.

County Engineer reviewed current secondary roads activity.

Motion by O'Brien, 2nd by Pettinger: to adjourn. Meeting adjourned. Next meeting January 12, 2021.

/s/-Steve Baier, Chair

Attest: /s/-Dale Sunderman, Auditor